

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 1:22-cv-20707-JEM/JB

FARHAD AZIMA,

Applicant,

v.

INSIGHT ANALYSIS AND RESEARCH
LLC and SDC-GADOT,

Respondents.

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ORDER MEMORIALIZING DECEMBER 21, 2022 HEARING

THIS CAUSE came before the Court on: (1) Petitioner's Motion Requesting Sanctions and Compelling Discovery, ECF No. [32]; (2) Respondents' Objections to Magistrate's Order and Request for District Court Review Per Local Rule 4, and Per 28 USC § 636, ECF No. [34]; (3) Petitioner's Motion to Compel Document Production, ECF No. [50]; (4) Respondents' Motion for Reconsideration of DE #1 and DE #5, ECF No. [52]; (5) Respondents' Motion for Sanctions, ECF No. [56]; and (6) Petitioner's Supplemental Application for an Order Pursuant to 28 U.S.C. § 1782 to Take Discovery Held by Amit Forlit, ECF No. [23], and Memorandum of Law in Support thereof, ECF No. [24]. The Court held oral argument on December 21, 2022 (the "Hearing"). ECF No. [61]. This Order memorializes the Court's ruling as follows:

- (1) As to Petitioner's Motion Requesting Sanctions and Compelling Discovery, ECF No. [32], Petitioner withdrew at the hearing his request for attorneys' fees and costs relating to the May 2, 3, and June 15, 2022 depositions and motions. As to all other relief sought in the motion, the motion is **DENIED AS MOOT**.

- (2) Respondents' Objections to Magistrate's Order and Request for District Court Review Per Local Rule 4, and Per 28 USC § 636, ECF No. [34], is **DENIED AS MOOT**. However, any challenges to the scope of the Federal Rule of Civil Procedure 30(b)(6) deposition notices asserted in the motion shall be accepted and considered as additional objections to those in Respondents' Motion for Reconsideration of DE #1 and DE #5, ECF No. [52].
- (3) Respondents' Motion for Sanctions, ECF No. [56], is **DENIED** for the reasons stated at the Hearing.
- (4) The Court heard argument on Respondents' Motion for Reconsideration of DE #1 and DE #5 (the "Motion for Reconsideration"), ECF No. [52]. The Court provided Respondents one week to consider whether they would persist with this motion or withdraw the motion. Respondents' counsel advised undersigned chambers that it would persist with the motion. As such, the Court will provide its written Report and Recommendation on the Motion for Reconsideration at a later time.
- (5) As to Petitioner's Motion to Compel Document Production (the "Motion to Compel"), ECF No. [50], the Court heard argument and provided its ruling subject to the Motion for Reconsideration. Specifically, should the undersigned recommend that the Motion for Reconsideration be denied and the District Court adopt that recommendation, the ruling on the Motion to Compel, for the reasons stated at the hearing, is as follows: (1) **DENIED** as to engagement letters; (2) **GRANTED IN PART AND DENIED IN PART** as to invoices and records of payments to vendors, subcontractors, and employees, such that Respondents are **ORDERED** to produce bank records that are responsive to this category of documents; (3) **GRANTED IN PART AND DENIED IN PART** as to bank records, such that the bank records encompassed by the second category of documents shall be produced; (4)

GRANTED IN PART AND DENIED IN PART as to accounting records and tax returns, in that Respondents shall produce accounting records relating to payments to the list of entities that shall be provided to Respondents by Petitioner; Petitioner withdrew the request as to tax returns; (5) **GRANTED IN PART AND DENIED IN PART** as to e-mail records, in that Respondents shall produce e-mails relating to the movement of funds for specific transactions, with the list of transactions to be provided to Respondents by Petitioner; (6) **GRANTED IN PART AND DENIED IN PART** as to WhatsApp and other messaging services, in that Respondents shall produce communications of these kinds relating to the movement of funds for specific transactions, with the list of transactions to be provided to Respondents by Petitioner; (7) **DENIED** as to travel records; (8) **DENIED** as to hacking reports; and (9) **DENIED** as to Azima's hacked data.

- (6) Petitioner's Supplemental Application for an Order Pursuant to 28 U.S.C. § 1782 to Take Discovery Held by Amit Forlit, ECF No. [23], and Memorandum of Law in Support thereof, ECF No. [24], are **DENIED AS MOOT**. Petitioner shall submit a revised petition by **January 18, 2023**. Any response shall be filed by **January 25, 2023**, and any reply shall be filed by **January 30, 2023**.

DONE AND SUBMITTED in Chambers at Miami, Florida, on January 3, 2023.



JACQUELINE BECERRA
United States Magistrate Judge